

James L. Robert
HONORABLE JOHN C. COUGHENOUR

JLR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED CAPITAL FUNDING
CORPORATION,

Plaintiff,

vs.

ERICSSON, INC.,

Defendants.

NO. 2:15-cv-00194-JCC

**JOINT STIPULATED MOTION AND
~~PROPOSED~~ ORDER DISCHARGING
SUPERSEDEAS BOND**

JLR

ERICSSON, INC.,

Third-Party Plaintiff,

vs.

KYKO GLOBAL, INC.,

Third-Party Defendant.

**NOTE FOR MOTION CALENDAR:
APRIL 4, 2018**

JOINT STIPULATED MOTION AND
[PROPOSED] ORDER DISCHARGING
SUPERSEDEAS BOND -1
No. 2:15-cv-00194-JCC

**GORDON REES SCULLY
MANSUKHANI, LLP**
701 5th Avenue, Suite 2100
Seattle, WA 98104
Telephone: (206) 695-5100
Facsimile: (206) 689-2822

1 Plaintiff United Capital Funding Corp. ("United") and Defendant Ericsson Inc.
2 ("Ericsson") (collectively, the "Parties"), by and through their undersigned counsel, hereby file
3 this Stipulated Motion and Proposed Order Discharging Supersedeas Bond, and in support
4 thereof state as follow:

5 On April 26, 2016, this Court entered an Order Granting Summary Judgment, Denying
6 Motion for Reconsideration and Mooting Motion to Enlarge Discovery Deadline, ordering
7 United to pay Ericsson the sum of \$46,907.20 (the "Final Order"). *See* Doc. No. 118.

8 On May 25, 2016, United filed a Notice of Appeal from the Final Order and said appeal
9 was docketed as Appeal No. 16-35442 in the United States Court of Appeal for the Ninth Circuit.

10 On July 25, 2016, United posted Supersedeas Bond No. 910023, in the amount of
11 \$250,000.00, executed by SureTec Insurance Company as surety (the "Supersedeas Bond"). *See*
12 Doc. No. 126.

13 On March 29, 2018, the Ninth Circuit Court of Appeal issued its memorandum decision
14 in the Appeal, reversing the Final Order in favor of United and remanding the matter to this
15 Court for further proceedings.

16 The Parties hereby stipulate and agree that the Supersedeas Bond should be discharged,
17 and by this Stipulation hereby request that the Court issue an Order discharging the Supersedeas
18 Bond, and releasing United, as principal, and SureTec Insurance Company and its parents,
19 affiliates and subsidiaries, as insurer, from any and all past, present and future liability in
20 connection with the issuance of the Supersedeas Bond.

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26 JOINT STIPULATED MOTION AND
[PROPOSED] ORDER DISCHARGING
SUPERSEDEAS BOND -2
No. 2:15-cv-00194-JCC

GORDON REES SCULLY
MANSUKHANI, LLP
701 5th Avenue, Suite 2100
Seattle, WA 98104
Telephone: (206) 695-5100
Facsimile: (206) 689-2822

1 Respectfully submitted April 4, 2018.

2 GORDON REES SCULLY
3 MANSUKHANI, LLP

4 By: /s/ Sally S. Kim
5 Sally S. Kim, WSBA 35289
6 Allen W. Estes, III, WSBA 34526
7 *Co-Counsel for United Capital Funding Corp*
8 701 Fifth Avenue, Suite 2100
9 Seattle, WA 98104
10 sallykim@grsm.com
11 aestes@grms.com

12 DAVIS ROTHWELL EARLE & XOCHIHUA

13 By: /s/ Suzanne K. Pierce
14 Suzanne K. Pierce, WSBA 22733
15 *Counsel for Ericsson Inc.*
16 701 5th Avenue, Suite 550
17 Seattle, WA 98104
18 spierce@davisrothwell.com

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20
21
22
23
24
25
26 JOINT STIPULATED MOTION AND
[PROPOSED] ORDER DISCHARGING
SUPERSEDEAS BOND -3
No. 2:15-cv-00194-JCC

GORDON REES SCULLY
MANSUKHANI, LLP
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Seattle, WA 98104
Telephone: (206) 695-5100
Facsimile: (206) 689-2822

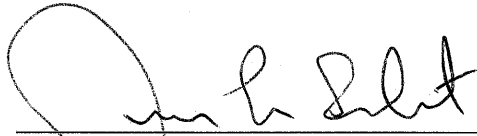
ORDER DISCHARGING SUPERSEDEAS BOND

Pursuant to and based upon the foregoing Joint Stipulated Motion of the Parties to discharge Supersedeas Bond No. 910023 in the amount of \$250,000.00, issued by SureTec Insurance Company, at the request of United Capital Funding Corp., as principal, to stay execution of the Court's Final Order entered in this action at Docket No. 118 pending resolution of Appeal No. 16-35442, the Court hereby **ORDERS AND ADJUDGES** that:

1. The Supersedeas Bond is hereby fully and unconditionally discharged, released and exonerated.

2. SureTec Insurance Company and its parents, affiliates and subsidiaries are hereby, effective immediately, released from any and all past, present or future liability in connection with the issuance of the Supersedeas Bond.

Dated this 29th day of April, 2018.



Honorable ~~John C. Coughenour~~ James L. Robert
United States District Judge

CERTIFICATE OF SERVICE

The undersigned declares under penalty of perjury under the laws of the State of Washington that on this date I electronically filed a true and accurate copy of the document to which this declaration is affixed with the Clerk of the Court using the CM/ECF System, which will send notification of such filing to the following:

Michael W. Ullman
Jared A. Ullman
Ullman & Ullman, PA
150 E. Palmetto Park Road, Suite 700
Boca Raton, FL 33432
Tel: (561) 338-3581
michael.ullman@uulaw.net
jared.ullman@uulaw.net

Suzanne K. Pierce
Davis Rothwell Earle & Xochihua
701 5th Avenue, Suite 5500
Seattle, WA 98104
Tel: (206) 622-2295
spierce@davisrothwell.com

James T. Yand
Tara M. O'Hanlon
Miller Nash Graham & Dunn LLP
Pier 70
2801 Alaskan Way, Suite 300
Seattle, WA 98121
Tel: (206) 624-8300
james.yand@millernash.com
tara.ohanlon@millernash.com

Dated: April 4, 2018

/s/ Francine M. Artero
Francine M. Artero, Legal Assistant
fartero@grsm.com

JOINT STIPULATED MOTION AND
[PROPOSED] ORDER DISCHARGING
SUPERSEDEAS BOND -5
No. 2:15-cv-00194-JCC

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MANSUKHANI, LLP**
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Seattle, WA 98104
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Facsimile: (206) 689-2822